



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/817,426	03/26/2001	Thai-Lai Pham	2000P07534 US01	8487

7590 04/27/2005

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South 5th Floor
Iselin, NJ 08830

EXAMINER

PHAN, TAM T

ART UNIT	PAPER NUMBER
----------	--------------

2144

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/817,426

Applicant(s)

PHAM ET AL.

Examiner

Tam (Jenny) Phan

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. This application has been examined. Amendment filed 11/08/2004 has been entered. Claims 1, 3, 13, 18, and 19 are currently amended. Claims 2, 4-12, 14-17, and 20-21 are previously presented.

2. Claims 1-21 are presented for examination.

Priority

3. This application claims benefit of the provisional application 60/193,019 (03/29/2000).

4. The effective filing date for the subject matter defined in the pending claims which has support in parent 60/193,019 in this application is 03/29/2000. Any new subject matter defined in the claims not previously disclosed in parent 60/193,019, is entitled to the effective filing date of 03/26/2001.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eldridge et al. (U.S. Patent Number 6,421,716), hereinafter referred to as Eldridge, in view of Newell et al. (U.S. Patent Number 6,466,232), hereinafter referred to as Newell, and further in view of Pendlebury et al. (U.S. Patent Number 6,493,760), hereinafter referred to as Pendlebury.

7. Regarding claim 1, Eldridge disclosed a method of providing a service to a device, comprising the steps of: querying at least one client within an environment for an available resource (Abstract, Figures 1 and 4A); receiving, by the device, query information from the client (Abstract); forwarding the query information to a gateway (Figure 1); and requesting the service from a gateway, the gateway distributing the service to the client (Abstract, Figures 1-3, 5-13, column 6 lines 25-38, column 8 lines 24-52, column 12 lines 42-65).

8. Eldridge taught the invention substantially as claimed. However, Eldridge did not expressly teach a method wherein the gateway distributes the service through the available resource provided by the client.

9. Eldridge suggested exploration of art and/or provided a reason to modify the method of Eldridge with a gateway being able to distribute the service through the available resource provided by the client (Abstract, column 1 line 65-column 2 line 13).

10. Newell disclosed a method wherein the gateway distributes the service through the available resource provided by the client (column 11 lines 51-67, column 12 lines 45-60, column 13 line 51-column 14 line 13).

11. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Eldridge with the teachings of Newell to include a gateway being able to distribute the service through the available resource provided by the client in order to provide a user interface that offers users of the mobile transaction service, fast and easy access to services that are proximate to the location at which the users are physically situated (Eldridge, column 2 lines 21-29).

Art Unit: 2144

12. The combination of Eldridge and Newell taught the invention substantially as claimed. However, the combination of Eldridge and Newell did not expressly teach forwarding, from the device, the query information to a gateway.

13. Eldridge suggested exploration of art and/or provided a reason to modify the method of providing a service to a device with additional features such as the forwarding, from the device, the query information received from an available client to a gateway (column 2 lines 14-29, column 14 lines 31-37).

14. Pendlebury disclosed a method for handling mobile transaction service having the steps of querying at least one available client that is in proximity with the mobile device and forwarding, from the mobile device, the response from the client to the gateway (Figures 3, 11-12, column 6 lines 47-57, column 8 lines 20-31, column 13 lines 9-22).

15. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the combined method of Eldridge and Newell with the teachings of Pendlebury to include the step of forwarding, from the device, the query information to a gateway in order to seamlessly integrate the available devices with mobile computing devices (Pendlebury, column 2 lines 1-15).

16. Regarding claim 2, Eldridge disclosed a method wherein the environment includes at least two resources, and the gateway performs the method steps of organizing the resources of the client; and synchronizing the service distributed through the resources provided by the client (Figures 1-3, column 3 lines 25-36, column 4 lines 24-36, column 5 lines 4-23).

17. Regarding claim 3, Eldridge and Newell disclosed a method wherein the environment includes at least two resources, and the gateway performs the method steps of: evaluating the request for the service and the available resources to determine a match, wherein evaluating the request further includes determining an identity of a user of the device and a privilege of the user corresponding to the resource; and generating an assignment of the service to a matched resource of the client (Eldridge, column 7 lines 12-23, column 12 lines 42-65, column 13 lines 22-43; Newell, column 7 lines 19-39, column 11 lines 25-50).
18. Regarding claim 4, Eldridge disclosed a method further comprising the step of reserving the resource provided by the client for providing the service to the device (column 7 lines 12-23, column 12 lines 42-65, column 13 lines 22-43).
19. Regarding claim 5, Newell disclosed a method further comprising the step of passing control of a composite device including the client and the device, from the device to the client (column 4 lines 44-65, column 12 lines 1-32, lines 38-60).
20. Regarding claim 6, Newell disclosed a method wherein the device accepts input to a composite device including the client and the device (column 4 lines 44-65, column 12 lines 1-32, lines 38-60).
21. Regarding claim 7, Eldridge disclosed a method wherein the device communicates with the gateway via a wireless connection (Figures 1-3, column 3 lines 25-49).

Art Unit: 2144

22. Regarding claim 8, Eldridge disclosed a method wherein the client and the gateway communicate through one of a wireless connection and a wire-line connection (Figures 1-3, column 3 lines 25-49).

23. Regarding claim 9, Eldridge disclosed a method wherein the device is one of a personal digital assistant and an Internet ready cellular telephone (Figures 1-3, column 3 lines 37-49).

24. Regarding claim 10, Eldridge disclosed a method wherein the device includes a web browser application (column 14 lines 1-18).

25. Regarding claim 11, Newell disclosed a method wherein the device functions in one of three modes with respect to the client, the modes including abdicative, cooperative, and exclusive (column 12 lines 1-32, lines 38-60).

26. Regarding claim 12, Newell disclosed a method wherein the service is one of an audio service [microphone, speaker], a video service [digital cameras], and an audio/visual service [microphone, speaker, visual] (Figures 1-2 & 5, column 4 lines 56-65).

27. Regarding claim 13, Eldridge, Newell, and Pendlebury disclosed a program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for establishing a composite device providing at least one service to a wireless device component of the composite device, the method steps comprising: evaluating a request for a service and an available resource of at least one client of the composite device to determine a match; organizing the resource of the client; and generating an assignment of the service to a matched

Art Unit: 2144

resource of the client, and upon determining a mismatch between the requested service and the available resource splitting content of the service among two or more available resources to produce a match between the content of the service and the available resources (Eldridge, column 3 lines 14-47, column 7 lines 18-34, lines 41-60, column 9 lines 42-55, column 12 lines 26-42; Newell, column 11 lines 25-50, column 12 lines 1-32; Pendlebury, Figure 7 signs 740 and 742, column 12 lines 30-58).

28. Regarding claim 14, Eldridge and Newell disclosed a program storage device further comprising the step of synchronizing the service distributed through the resource provided by the client (Eldridge, column 5 lines 4-23; Newell, column 3 lines 46-61, column 12 45-60).

29. Regarding claim 15, Eldridge disclosed a program storage device wherein the step of establishing the composite device including the client and the wireless device is based on at least one of location dependent information received from the wireless device, predefined environmental knowledge, and dynamic information on the status of the client within the composite device (Abstract, Figures 1-3, column 6 line 52-column 7 line 11, column 8 lines 24-64).

30. Regarding claim 16, Eldridge disclosed a program storage device wherein the predefined environmental knowledge includes location information for the client (Abstract, column 6 line 52-column 7 line 11).

31. Regarding claim 17, Eldridge disclosed a program storage device wherein the predefined environmental knowledge includes resource information for the client (column 5 lines 4-23, column 6 line 52-column 7 line 23, column 12 lines 42-65).

Art Unit: 2144

32. Regarding claim 18, Eldridge disclosed a program storage device wherein the step of generating the assignment further comprises one of converting content, and filtering content upon determining a mismatch between the requested service and the available resource (column 5 lines 4-23).

33. Regarding claim 19, Eldridge, Newell, and Pendlebury disclosed a distributed device comprising a plurality of autonomous components which cooperate with a gateway component to provide a service to a wireless device component through at least one resource provided by at least one client component, the gateway component which assigns the service to the resource, the gateway component comprising: a server for communicating with the plurality of autonomous components and the wireless device; a database for storing process variables of the plurality of autonomous components; and a distributed component object model server for invoking the service provided by at least one of the plurality of autonomous components (Eldridge, Abstract, Figures 1-3, column 6 lines 25-38, column 8 lines 24-52; Newell, column 11 lines 25-67, column 12 lines 16-32; Pendlebury, column 9 lines 37-46, column 12 lines 30-58).

34. Regarding claim 20, Eldridge and Newell disclosed a distributed device wherein the gateway component synchronizes two of more services provided to the wireless device component (Eldridge, column 5 lines 4-23; Newell, column 3 lines 46-61, column 12 lines 45-60).

35. Regarding claim 21, Eldridge disclosed a distributed device wherein the client component and the gateway component communicate through one of a wireless connection and a wire-line connection (Figures 1-3, column 3 lines 25-49).

36. Since all the limitations of the claimed invention were disclosed by the combination of Eldridge, Newell, and Pendlebury, claims 1-21 are rejected.

Response to Arguments

37. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

38. In response to applicant's argument that Eldridge does not teach or suggest, "receiving, by the device, query information from the client", the Examiner respectfully disagrees. Eldridge disclosed, "Through the user interface, a user queries a document device proximate to their physical location. Responsive to the query, a hierarchical list of available services is displayed at the user interface. The hierarchical list provides the user with immediate access to the queried document device, as well as links to other document devices that are ordered in a location and class specific hierarchy" (Abstract), thus, it should be obvious that the query information from the client is received by the user interface of the device.

39. Regarding claim 3, in response to applicant's argument that Eldridge and Newell do not teach or suggest that a user has privileges corresponding to a document service, it is submitted that Eldridge disclosed "The network gateways 114 and 120, the transaction server 144, the token-aware document delivery server 138, and the token-aware document servers 134 and 128 communicate with the certificate server 140 which stores a list of public keys of users. In requesting a public key from the certificate server 140, a requesting token-enabled server submits a hint of a user's public key. In return, the certificate server 140 supplies a certificate, which contains the user's public

Art Unit: 2144

key as well as a well-known public key that can be used to authenticate the certificate.

In addition, the certificate server 140 can support standard certificates such as the X509 certificates from Verisign Incorporated" (column 5 lines 24-35), "Before forwarding the document service request, the IR gateway context insertion sliver 115 authenticates the request using the certificate server 140 and appends context information to the request. Document service requests that arrive either from RF gateway 120 or Internet 122 are authenticated at firewall 124" (column 6 lines 10-15), and "The token-aware shared document server 134 then authenticates document token at action 432. Part of the process of authenticating the document token is performing action 434 for acquiring the public key of the original user issuing the document token" (column 10 lines 60-65).

Thus, the authentication process suggests that the user in the disclosure of Eldridge reference must have permission to access the document services else the request for the document service would be denied.

40. Regarding claim 13, in response to applicant's argument that Newell does not teach or suggest splitting content, providing the split content by two or more available resources, it is submitted that Newell disclosed "The one or more devices which best match the current user condition and the current output information will be selected, including using user preferences to select between different devices" (column 11 lines 32-35), "As the user moves about in various environments, the CDOS system receives various input information, maintains a current model of the user condition, and presents output information to the user via appropriate output devices" (column 11 lines 64-67), "The devices from which the non-portable computer can directly receive information

include various user input devices 152 and various user sensor devices 156. The non-portable computer can output information directly to a display 160, a speaker 162, an olfactory device 164, and a printer 166" (column 12 lines 11-14), and "the body-mounted computer may be able to supply output information to the display 160, the speaker 162, the olfactory device 164, and the printer 166, either directly or via the non-portable computer, and directly to the telephone 168. As the user moves out of range of the remote input and output devices, the CDOS system will be updated to reflect that the remote output devices are not currently available to receive output" (column 12 lines 24-32". Thus, it should be obvious that Newell suggested the splitting of output content in order to presents output information to the user via appropriate available output devices.

41. Regarding claim 19, in response to applicant's argument that Eldridge does not teach a database for storing process variables of the plurality of autonomous components, it is submitted that while the Examiner agrees with the applicant that Eldridge taught a database storing information such as location and class, Eldridge also disclosed "In another embodiment, a context identifier is a unique identifier that is used to reference an entry in a database that is stored, for example, on the directory server 142. The entry in the database may include any desired information, including information about location and function of a physical device" (column 8 lines 58-64). Thus it is submitted that the database might store any desired information including process variables of the plurality of autonomous components. In addition, claim 19 is rejected in view of Pendleton and Pendleton disclosed "a database at a central server is programmed with parameters that identify the token-enabler unit collocated with the non

Art Unit: 2144

token-enabler device. These programmable parameters for example include those for completing a device service form 215. More specifically in this alternate embodiment, service requests are responded to at step 718 shown in FIG. 7 by transmitting to the mobile computing device 118 a generic form that contains the unique identifier. Upon receipt of the unique identifier, the mobile computing device 118 communicates with the directory server 142 to retrieve a completed device service from 215" (column 12 lines 30-43). Refer to the above rejection for complete details.

42. As the rejection reads, Examiner asserts that the combination of these teachings render the claimed invention obvious.

Conclusion

43. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2144

44. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Schuster et al. (U.S. Patent Number 6,857,021) titled "Proximity-based registration on a data network telephony system" disclosed a proximity-based registration of a user to a data network appliance on a data network telephony system. A portable information device, such as a PDA (Personal Digital Assistant) is associated with the user. When the portable information device is brought within a proximity range of a data network appliance, one or more messages are wirelessly transmitted between the portable information device and the data network appliance. The data network appliance then transmits a registration request to a registration server to register the user to the data network appliance. As a result, calls for the user will be routed to the data network appliance to which the user is registered.

45. Refer to the enclosed PTO-892 for details.

46. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam (Jenny) Phan whose telephone number is (571) 272-3930. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (571) 272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2144

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William Cuchlinski
SPE
Art Unit 2144
(571) 272-3925

tp
April 19, 2005